

ND-2011-34-C  
232848



October 10, 2011

**Via Overnight Delivery**

Ms. Marlene H. Dortch, FCC Secretary  
Federal Communications Commission  
9300 East Hampton Drive  
Capitol Heights, MD 20743  
ATTN: WCB Competition Policy Division

**Re: Section 63.71 Application of ACN Communication Services, Inc. to Discontinue Service**

Dear Ms. Dortch:

Enclosed for filing please find the original and six (6) copies of the Application of ACN Communication Services, Inc. to discontinue its provision of calling card services.

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided.

Any questions you may have pertaining to this filing may be directed to me at (407) 740-3031 or via email at sthomas@tminc.com. Thank you for your assistance.

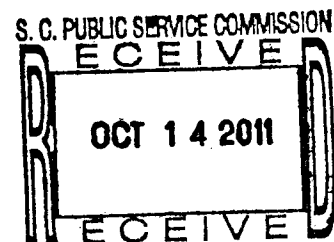
Sincerely,

Sharon Thomas  
Consultant to ACN Communication Services, Inc.

ST/sp

Enclosures

cc: Service List  
Rodney McDonald – FCC (via email)  
R. McCreavy - ACN  
file: FCC - Domestic  
tms: FCx1101



Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of )  
Section 63.71 Application of )  
ACN Communication Services, Inc. )  
to Discontinue Services )

File No. ND-2011-34-C

**Section 63.71 Application of Communication Services, Inc. to Discontinue Services**

ACN Communication Services, Inc. ("ACN" or "Applicant") hereby seeks authorization pursuant to Section 214 (a) of the Communication Act of 1934, as amended, and 47 C.F.R. §63.71, to discontinue its provision of calling card telecommunications services (including intrastate, interstate and international) to end-user customers throughout the United States.

Applicant is considered a non-dominant telecommunications carrier with respect to all of its services, including those affected by the proposed discontinuance. As detailed below, the Applicant estimates that 250 customers have used its calling card service in the past year. The Applicant will continue to provide non calling card local and long distance telecommunications services throughout its existing service area and these services will be unaffected by the proposed discontinuance.

ACN individually notified affected customers of its proposed discontinuance of calling card service via letter sent first class mail on September 28, 2011.

The applicant provides the following information pursuant to Section 63.71 of the Commission's rules:

1. *Name and address of Carrier*

ACN Communication Services, Inc.  
1000 Progress Place  
Concord, NC 28025

Correspondence concerning this application should be sent to:

Sharon Thomas, Consultant to  
ACN Communication Services, Inc.  
Technologies Management, Inc.  
2600 Maitland Center Parkway, Suite 300  
Maitland, FL 32751  
Telephone: 407-740-3031  
Facsimile: 407-740-0613  
E-Mail: [sthomas@tminc.com](mailto:sthomas@tminc.com)

2. *Date of Planned Service Discontinuance, Reduction or Impairment:*

ACN proposes to discontinue supporting calling card services on October 31, 2011, or upon the Commission's approval of the discontinuance, whichever occurs later.

3. *Points of Geographic Areas of Service Affected:*

Applicant proposes to discontinue the provision of all calling card services (including intrastate, interstate and international) throughout the United States.

4. *Brief Description of Types of Service Affected:*

ACN will discontinue its voice calling card services. Calling cards have been issued, upon request, to residential customers who presubscribed to ACN's local and/or long distance telecommunications services. The calling cards are typically used by customers when they are not calling from a telephone that is presubscribed to their ACN services. These services are not prepaid; rather, customers are billed for the calls in arrears after the usage occurs.

5. *Brief Description of Dates and Methods of Notice to All Affected Customers:*

The Applicant has provided written customer notice of the planned discontinuance in accordance with the requirements of section 63.71 (a) of the Commission's Rules by notice dated September 28, 2011.


Notice was provided via letter sent first class mail to customers that have utilized ACN's calling card service within the past year. A copy of the customer notice is appended hereto as Exhibit A.

Notice has been sent to the each of the state regulatory commissions, the state governors' offices and the Department of Defense, as required under Section 63.71, concurrent with this filing. A service list is provided in Exhibit B.

### Conclusion

Pursuant to Section 214 (a) of the Communication Act of 1934, as amended, and 47 C.F.R. §63.71, ACN Communication Services, Inc. understands that this application will be automatically granted on the 31<sup>st</sup> day after the Public Notice is released, with no Commission notification to the Company, unless the Commission has notified the Company that the grant will not be automatically effective.

Dated this 17<sup>th</sup> day of Oct 2011.

  
Dave Stevanovski  
Chief Operating Office  
ACN Communication Services, Inc.

Sharon Thomas, Consultant to  
ACN Communication Services, Inc.  
Technologies Management, Inc.  
2600 Maitland Center Parkway, Suite 300  
Maitland, FL 32751  
Telephone: 407-740-3031  
Facsimile: 407-740-0613  
E-Mail: [stthomas@tminc.com](mailto:stthomas@tminc.com)

**Exhibit A**

Customer Notice

September 28, 2011

Dear Valued Customer,

We hope you are enjoying the benefits of your ACN Local & Long Distance Service. ACN constantly reviews its plans to make sure we are providing you with the affordable and flexible calling plans you need and the most popular calling features you love.

ACN recognizes that you may rely on an alternate means of communication when traveling away from home, including mobile phones, text messages and other chat applications. ACN's calling card providers in the U.S. also recognize the shift in communication needs and have decided to discontinue offering the service.

Because we know that you have used our calling card service within the last year, we wanted to inform you of this change to our product offering. You may continue to use your existing calling cards through **October 31, 2011**. After that date, the calling card providers will discontinue the service, and your calling cards will no longer work. This discontinuance of calling card service will affect all ACN customers throughout the U.S.

If you do need a way to contact home when you travel, please take a look at ACN's other services that are available through your ACN Independent Business Owner, such as ACN Wireless. With choices between the nation's top carriers, ACN makes it easy to shop for the perfect carrier, phone and plan – including an option where no contracts are required.

ACN values your business and will continue to keep you informed when we adjust our service to better fit your lifestyle.

ACN Customer Care

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of ACN Communications Services, Inc. 1000 Progress Place, Concord, NC 28025. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

**Exhibit B**

Service List



**Exhibit B - Service List  
Commissions**

Mr. Walter Thomas, Jr. Secretary  
Alabama Public Service Commission  
100 N. Union Street, Suite 850  
Montgomery, Alabama 36130

Docket Center  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 80557-2927

Mr. Doug Dean Director  
Colorado Public Utilities Commission  
1560 Broadway, Suite 250  
Denver, Colorado 80202

Ms. Alisa Bentley Secretary  
Delaware Public Service Commission  
861 Silver Lake Boulevard, Suite 100  
Cannon Building  
Dover, Delaware 19904

Ms. Ann Cole Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Ms. Karen Higashi Chief Clerk  
Hawaii Public Utilities Commission  
465 S. King Street, Room 103  
Honolulu, Hawaii 96813

Ms. Elizabeth Rolando Chief Clerk  
Illinois Commerce Commission  
572 East Capital Avenue  
Springfield, Illinois 62701

Ms. Jan Sanders Commission Secretary  
Arkansas Public Service Commission  
1000 Center Street  
Little Rock, Arkansas 72203

TD Coordinator  
California Public Utilities Commission  
505 Van Ness Avenue, 3rd Floor  
San Francisco, California 94102

Ms. Kimberly Santopietro Executive Secretary  
Connecticut Department of Public Utility  
Control  
10 Franklin Square  
New Britain, Connecticut 06051

Ms. Dorothy Wideman Commission Secretary  
Public Service Commission of the District of  
Columbia  
1333 H Street NW, Suite 200W  
Washington, DC 20005

Mr. Reece McAlister Executive Secretary  
Georgia Public Service Commission  
244 Washington Street SW  
Atlanta, Georgia 30334-7051

Ms. Jean Jewell Secretary  
Idaho Public Utilities Commission  
472 West Washington  
Statehouse  
Boise, Idaho 83720-0074

Ms. Brandy Darlington Tariff Administrator  
Indiana Regulatory Commission  
Indiana Government Center South  
302 W. Washington Street, Suite E306  
Indianapolis, Indiana 46204

Ms. Judi Cooper Executive Secretary  
Iowa Utilities Board  
350 Maple Street  
Des Moines, Iowa 50319-0069

Mr. Brent Kirtley Tariff Branch Manager  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

Ms. Karen Geraghty Administrative Director  
Maine Public Utilities Commission  
242 State Street, 18 SHS  
Augusta, Maine 04333-0018

Ms. Catrice Williams Secretary  
Massachusetts Department of  
Telecommunications & Cable  
Two South Station  
Boston, Massachusetts 02110

Dr. Burl Haar Executive Secretary  
Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, Minnesota 55101

**Exhibit B - Service List (Cont'd.)**  
**Commissions (Cont'd.)**

Ms. Coleen Dale Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
Jefferson City, Missouri 65101

Mr. Michael Hybl Executive Director  
Nebraska Public Service Commission  
300 The Atrium 1200 N Street  
Lincoln, Nebraska 68059-4927

Ms. Susan Duffy Executive Director  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, Kansas 66604-4027

Mr. Eve Kahao Gonzalez Secretary  
Louisiana Public Service Commission  
Glavez Building 602 North 5th Street, 12th  
Floor  
Baton Rouge, Louisiana 70802

Ms. Terry Romine Executive Secretary  
Maryland Public Service Commission  
6 St. Paul Street  
Baltimore, Maryland 21202-6808

Ms. Robin Ancona Director  
Michigan Public Service Commission  
6545 Mercantile Way  
Lansing, MI 48909-7804

Mr. Brian Ray Executive Secretary  
Mississippi Public Service Commission  
Woolfolk Building 501 North West Street,  
Suite 201A  
Jackson, Mississippi 39201

Ms. Kate Whitney Program Director  
Montana Public Service Commission  
1701 Prospect Avenue  
Helena, Montana 59620-2601

Ms. Nancy Krassner Commission Secretary  
Public Utilities Commission of Nevada  
1150 E. William Street  
Carson City, Nevada 89701-3109

Ms. Lisa Cleveland Utility Analyst  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, New Hampshire 03301-2429

Ms. Kristi Izzo, Executive Secretary  
New Jersey Board of Public Utilities  
Two Gateway Center, 8<sup>th</sup> Floor  
Newark, NJ 07102

Hon. Jaclyn Brilling Commission Secretary  
New York Public Service Commission  
Three Empire State Plaza Agency Building 3  
Albany, New York 12223-1350

Records Department  
New Mexico Public Regulation Commission  
224 East Palace Avenue  
Santa Fe, New Mexico 87501

Ms. Renee Vance Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4325

Mr. Darrell Nitschke Executive Secretary  
North Dakota Public Service Commission  
600 E. Boulevard Avenue, Dept. 408  
Bismarck, North Dakota 58505-0480

Ms. Renee Jenkins Commission Secretary  
Public Utilities Commission of Ohio  
180 East Broad Street, 13th Floor  
Columbus, Ohio 43215-3793

Commission Court Clerk's Office  
Oklahoma Corporation Commission  
Public Utilities Division, Room 103  
2101 N. Lincoln Avenue  
Oklahoma City, Oklahoma 73105

Mr. Richard Willis Executive Director  
Oregon Public Utilities Commission  
550 Capitol Street, NE, Suite 215  
Salem, Oregon 97301-2551

Mr. Rosemary Chiavetta Commission Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building 400 North  
Street, 2nd Floor  
Harrisburg, Pennsylvania 17120

Ms. Luly Massaro Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, Rhode Island 02888

**Exhibit B - Service List (Cont'd.)**  
**Commissions (Cont'd.)**

Mr.CharlesTerreniChief Clerk  
South Carolina Public Service Commission  
Synergy Business Park, Saluda Bldg.101  
Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Ms.CarolWashburnExecutive Secretary  
Washington Utilities & Transportation  
Commission  
1300 S. Evergreen Park Drive, SW  
Olympia, Washington 98504-7250

Ms.PatriciaVan GerpenExecutive Director  
South Dakota Public Utilities Commission  
Capitol Building, 1st Floor  
500 East Captiol Avenue  
Pierre, South Dakota 57501-5070

Ms.SandyPaskeCommission Secretary  
Wisconsin Public Service Commission  
610 N. Whitney Way  
Madison, Wisconsin 53705-2729

Ms.SharlaDillonDockets & Records Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Mr.JamesGallowayFiling Clerk Central  
Records  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
Austin, Texas 78711-3326

Commission Secretary  
Utah Public Service Division  
Herber M. Wells Building160 East 300  
South Street  
Salt Lake City, Utah 84111

Mr.WilliamIrbyDirector  
Virginia State Corporation Commission  
Tyler Building, 9th Floor1300 E. Main Street  
Richmond, Virginia 23219

Ms.SandraSquireExecutive Secretary  
West Virginia Public Service Commission  
201 Brooks Street  
Charleston, West Virginia 25323

Mr.DavidLuceroCommission Attorney  
Wyoming Public Service Commission  
Hansen Building, Suite 300  
2515 Warren Avenue  
Chyenne, Wyoming 82002

Ms.SusanHudsonClerk of the Board  
Vermont Public Service Board  
112 State Street, 4th Floor  
Montpelier, Vermont 05620-2701

**Exhibit B - Service List (Cont'd.)**  
**Governors**

Office of the Governor  
State Capitol N-104  
600 Dexter Avenue  
Montgomery, AL 36130-2751

Office of the Governor  
1700 West Washington  
Phoenix, Arizona 85007

Office of the Governor  
250 State Capitol Bldg.  
Little Rock, AR 72201

Office of the Governor  
State Capitol  
First Floor  
Sacramento, CA 95814

Office of the Governor  
136 State Capitol  
Denver, CO 80203-1792

Office of the Governor  
State Capitol, 210 Capitol Ave.  
Hartford, CT 06106

Executive Office of the Mayor  
District of Columbia  
1350 Pennsylvania Av, NW  
Suite 316  
Washington, DC 20004

Office of the Governor  
820 N. French St.  
Wilmington, DE 19801

Office of the Governor  
The Capitol  
Tallahassee, FL 32399-0001

Office of the Governor  
203 State Capitol  
Atlanta, Georgia 30334

Office of the Governor  
5 State Capitol  
Honolulu, HI 96813

Office of the Governor  
State Capitol Building  
West Wing, 2<sup>nd</sup> Floor  
PO Box 83720  
Boise, ID 83720-0034

Office of the Governor  
207 State Capitol Bldg.  
Springfield, IL 52706

Office of the Governor  
206 State House  
Indianapolis, IN 46204

Office of the Governor  
State Capitol Building  
Des Moines, IA 50319

Office of the Governor  
Two State Capitol  
Topeka, KS 66612-1590

Office of the Governor  
700 State Capitol  
Frankfort, KY 40601

Office of the Governor  
State Capitol  
Post Office Box 94004  
Baton Rouge, LA 70804-9004

Office of the Governor  
#1 State House Station  
Augusta, ME 04333-0001

Governor of Maryland  
State Capitol Building  
Annapolis, MD 21401

State House  
Office of the Governor  
Boston, MA 02133

Office of the Governor  
PO Box 30013  
Lansing, MI 48909

Office of the Governor  
130 State Capitol  
St. Paul, MN 55155

Office of the Governor  
Post Office Box 139  
Jackson, MS 39205

Office of the Governor  
216 State Capitol  
Post Office Box 720  
Jefferson City, MO 65102

**Exhibit B - Service List (Cont'd.)**  
**Governors (Cont'd.)**

Office of the Governor  
Montana State Capitol Building  
PO Box 200801  
Helena, Montana 59620-0801

Office of the Governor  
PO Box 94848  
Lincoln, NE 68509-4848

Office of the Governor  
State Capitol 101 N. Carson Street  
Carson City, NV 89701

Office of the Governor  
208-214 State House  
Concord, NH 03301

Office of the Governor  
State House  
Trenton, NJ 08625

Office of the Governor  
State Capitol Building  
Santa Fe, NM 87503

Office of the Governor  
State Capitol  
Albany, NY 12224

Office of the Governor  
116 W. Jones Street  
Raleigh, NC 27603-8001

Office of the Governor  
State Capitol  
600 E. Boulevard Avenue  
Bismarck, ND 58505-0001

Office of the Governor  
Vern Riffe Center  
77 S. High St., 30<sup>th</sup> Floor  
Columbus, OH 43215

Office of the Governor  
212 State Capitol  
Oklahoma City, OK 73105

Office of the Governor  
900 Court Street NE, Room 254  
Salem, OR 97301-4047

Office of the Governor  
225 Main Capitol Bldg.  
Harrisburg, PA 17120

Office of the Governor  
222 State House  
Providence, RI 02903

Office of the Governor  
State House  
PO Box 11369  
Columbia SC 29211

Office of the Governor  
500 E. Capitol Ave.  
Pierre, SD 57501

Governor's Office  
Tennessee State Capitol  
Nashville, TN 37243-0001

Office of the Governor  
State Capitol, PO Box 12428  
Austin, TX 78711-2428

Governor of Utah  
210 State Capitol  
Salt Lake City, UT 84114

Governor of Vermont  
Pavilion Office Bldg., 5<sup>th</sup> Floor  
109 State St  
Montpelier, VT 05609

Office of the Governor  
Patrick Henry Building  
1111 East Broad Street, 3<sup>rd</sup> Floor  
Richmond, VA 23219

Office of the Governor  
Legislative Building  
PO Box 40002  
Olympia, WA 98504-0002

Office of the Governor  
State Capitol Building  
Charleston, WV 25305

Office of the Governor  
115 East State Capitol, PO Box 7863  
Madison, WI 53707

Office of the Governor  
State Capitol  
Cheyenne, WY 82002-0010

**Exhibit B - Service List (Cont'd.)**

Secretary of Defense  
Attn: Special Assistant for  
Telecommunications  
Pentagon  
Washington, D.C. 20301

FCC Form 499 Data Collection Agent  
Universal Service Administration  
Corporation  
200 L Street NW, Suite 200  
Washington, DC 20036

**CERTIFICATE OF SERVICE**

ACN Communication Services, Inc.

STATE OF FLORIDA            )

COUNTY OF ORANGE        )

On this date, October 10, 2011, Notice has been sent to the relevant state regulatory agency, Governors' offices and the Department of Defense, as required under Section 63.71, concurrent with this filing. A service list is provided in Exhibit B.



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For Shipping Department  
Technologies Management, Inc.